

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Tariff) Application No. NG-0007.1
for natural gas service)
available in the entire) ORDER GRANTING:
territory served by Aquila,) FORMAL INTERVENTION AND
Inc., d/b/a Aquila - Lincoln) REQUEST FOR HEARING AND FOR
in the state of Nebraska,) SUSPENSION OF OPERATION OF
filed December 22, 2004.) PROPOSED TARIFF CHANGES AND
) NOTICE OF ASSESSMENT
)
) Entered: January 25, 2005

O P I N I O N A N D F I N D I N G S

On December 22, 2004, Aquila, Inc., d/b/a Aquila - Lincoln (Aquila) filed Proposed Changes in Tariffs to become effective February 1, 2005. On January 19, 2005, the Public Advocate filed a Petition for Formal Intervention, Request for Hearing on Proposed Changes in Tariffs and Request to Suspend Operation of Proposed Changes in Tariffs (Petition for Formal Intervention).

By Joint Stipulation electronically filed January 24, 2005, Aquila and the Public Advocate agreed that the filing date of the above-referenced proposed tariff changes be deemed to be December 27, 2004. Aquila and the Public Advocate further stipulated that the Public Advocate's Petition for Formal Intervention should be granted and the proposed tariff changes be suspended pursuant to Neb. Rev. Stat. § 66-1808.

The Commission being fully advised in the premises finds that the Public Advocate's Petition for Formal Intervention should be granted, and a suspension of the operation of the Proposed Changes in Tariffs should be granted pending a hearing on the matter to be scheduled at a date later to be determined.

The Commission also finds that it may be necessary to assess certain expenses associated with this docket to Aquila, pursuant to Neb. Rev. Stat. § 66-1840. The Commission hereby provides notice to the utility, as required by Neb. Rev. Stat. § 66-1840, that expenses may be assessed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Public Advocate's Petition for Formal Intervention is granted.

IT IS FURTHER ORDERED that operation of the Proposed Changes to Tariffs filed by Aquila on or about December 22, 2004,¹ shall be suspended pending hearing on the matter to be scheduled at a date later to be determined.

IT IS FINALLY ORDERED that Aquila is hereby given notice of assessment as required by Neb. Rev. Stat. § 66-1840 and a copy of this order shall be mailed to Aquila.

MADE AND ENTERED at Lincoln, Nebraska, this 25th day of January, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

¹ Deemed to be filed December 27, 2004, pursuant to this Order.